

18 be a machine-to-machine transaction versus

19 human-to-a-machine transaction.

20 Q. Are you saying that the transactions will be

21 essentially instantaneous or are you saying something

22 different?

23 A. They will be essentially instantaneous, handled

24 machine-to-machine.

25 Q. That would still only be for noncomplex

0119

1 migration orders, correct?

2 A. That would be correct.

3 Q. Now, the problem with dropping from the 411

4 database, does a similar problem exist with the 555-1212

5 database?

6 A. The 555-1212 database can be impacted, but there

7 is no consistency in the industry as to what carrier uses

8 what source for the 555-1212 database. For example, AT&T

9 chooses to source their 555-1212 database from a different

10 provider than what MCI may source it from. Each provider

11 of that database has their own standards and their own

12 expectations around how frequently they update and the

13 method that they use to update it.

14 Q. How about Yellow Pages listings, does a similar

15 problem exist for customers of Yellow Pages listings

16 potentially being dropped, following a migration from

17 Pacific Bell to a CLEC?

18 A. Not to my knowledge. We are taking special

19 steps regarding directory listings and Yellow Page

20 advertising to ensure, because of the directory assistance

21 database process and its backlog, that we migrate those
22 orders that are close to a directory closing date into
23 directory to ensure that they don't get dropped.

24 Could one possibly get lost in that migration?

25 It happens in the retail side of the business today from
0120

1 time to time, so it's known it could occur. I don't

2 believe there is a systemic issue associated with it.

3 Q. That is to say there is no reason that you

4 cannot keep up with the backlog from the Yellow Pages

5 listings because, at least in that case, it's an annual

6 thing, annual refresh as opposed to a shorter refresh

7 period for 411, for example?

8 A. That's correct. And to clarify even further,

9 the feed of information that goes into Yellow Pages and

10 White Pages is not necessarily consistent with the feed of

11 information that populates directory assistance.

12 Q. Okay. Does the same problem as exists for the

13 411 database exist for the E-911 database?

14 A. No.

15 Q. And why not?

16 A. The systems that process the entries into those

17 databases are different systems.

18 Q. So what systems process the data for entry into

19 the E-911 database?

20 A. E-911 is what it's called.

21 Q. Finally one that makes sense.

22 And do the customer consumer entries in the

23 E-911 database have to be replaced and ownership

24 attributed to a CLEC, as occurs in the 411 database?

25 A. There has to be a transaction done up until the
0121

1 RMI-1.5 release, which now automates that feed, and I

2 don't know exactly what the transaction nomenclature is

3 that makes that occur.

4 Q. But in connection with the E-911 database, is it

5 a single transaction as opposed to one that deletes and

6 one that --

7 A. That's what I said. I don't understand the

8 transaction nomenclature. I don't know if it's just a

9 confirming transaction into the embedded listing or

10 whether it's actually an extract and re-enter.

11 Q. Currently, there is no systemic problem in

12 connection with Yellow Pages listings. Have you learned

13 that it was a problem in the past for customers who

14 migrated to CLEC's?

15 A. I am thinking. I don't believe that I have had

16 single incidents brought to me of a lost customer from

17 Yellow Pages. I don't know that one hasn't occurred, but

18 I don't recall a single one being brought to me at this

19 point in time.

20 Q. How about loss of dial tone? Is that a

21 circumstance that you heard had occurred in the past?

22 A. Yes.

23 Q. And is this a problem that has been corrected at

24 this time?

25 A. We still have instances of loss of dial tone in

0122

1 our wholesale business just as we do in our retail
2 business, but we don't have any higher incidence occurring
3 right now in our wholesale business than we do in our
4 retail business.

5 Q. In this case, the wholesale business would
6 include the resale business that is the subject of the
7 LISC?

8 A. Yes.

9 Q. Why would a customer lose dial tone if there is
10 migration to -- if the customer is migrated to a CLEC?

11 A. There are many reasons why a customer could lose
12 dial tone. If you think about it, from a perspective of
13 you have a big long circuit or facility that runs through
14 a customer's home, starts with a switch and the switch has
15 translations, and there is a main distributing frame,
16 there is outside plant, literally at any point along the
17 way, a service order might bum out or fail that might
18 cause the dial tone to be lost because of some function
19 that's done to that circuit. I mean, I could go
20 through --

21 Q. Could I cut a line to your house and you would
22 lose dial tone?

23 A. That would be an example.

24 Q. But what I was looking for were circumstances
25 associated with the migration of a customer from Pacific
0123

1 Bell to a CLEC that could result in a loss of dial tone.

2 A. Right. Okay. When a service order is processed

3 through Pacific Bell's service order system, it basically
4 stops at each one of those functional points along the
5 circuit, switch, the main distributing frame, the
6 facilities, the outside plant facilities. As the service
7 order is processed through, even though it's a migration
8 service order, the service order needs to be told not to
9 do anything to each one of those stops along the way, if
10 you don't want it to happen. If there is an error made
11 writing the service order or an error made in handling the
12 service order through that stream, that's what could cause
13 a disconnecting error.

14 Q. And you said that the chances of such an
15 occurrence in connection with your wholesale market or
16 resale to -- there is no chance of that happening, which
17 would be the services that you provide to your own end
18 users; is that a fair statement?

19 A. Yes. If you look at an area of number of orders
20 we issue versus the incidence of a dial tone loss
21 occurring, the ratio is the same.

22 Q. So if you get a -- if you have an end-user
23 customer -- say you have two, customer A and customer B.
24 customer A elects to stay with you, no change, and

25 customer B elects to be migrated to MCI. Would you agree
0124

1 that customer B is under a higher risk of suffering a loss
2 of dial tone?

3 A. With the qualification for purposes of loss of
4 dial tone for service order activity, yes. It would stand
5 to reason that a customer who has no service order

6 activity has a lower propensity to have a problem with
7 their account than one who has service order activity on,
8 which is what I understand your assertion to be.

9 Q. Exactly. What you are saying is that someone
10 who elects to have a service order go through, who elects
11 to be migrated, has a chance of losing dial tone, but it's
12 the same going away from Pacific as it is coming back to
13 Pacific, for example?

14 A. Or another corollary I would draw, the retail
15 customer who chooses to have a number changed and still be
16 a Pacific customer, and a subscriber who chooses to
17 migrate, I would say that they are at equal risk of that
18 occurring with a service order activity.

19 Q. Since your taking over the LISC, did you learn
20 that customer change order requests were being forwarded
21 to Pacific's customer service people for purposes of its
22 win-back program?

23 A. I don't believe it's accurate to say customer
24 change order requests were being forwarded. I am aware
25 that for a short period of time, that there were
0125

1 individuals that were reviewing disconnects lists, global
2 disconnect lists of all disconnects that occur in the
3 business, and acting on those disconnects.

4 Q. Which is to say they were --

5 MR. KOLTO-WININGER: I am also going to object
6 to this line of questioning, in that MCI has stated
7 explicitly in its complaint filed with the FCC that that

8 subject matter is not an issue in this proceeding.

9 MR. PUDDY: Let's go off the record.

10 (Discussion off the record.)

11 MR. PUDDY: Back on the record.

12 MR. KOLTO-WININGER: I will have a standing
13 objection, but you can go ahead and ask him questions.

14 MR. PUDDY: Q. I have a standing question:
15 your reference about people acting on disconnect orders.
16 By acting upon, you mean you were contacting these people
17 and trying to convince them to return to Pacific Bell?

18 A. In some instances, the disconnects that they
19 would receive, both disconnects that were a result of a
20 migration and disconnects that would be a result of any
21 other activity that occurs in the retail business, a sales
22 representative would contact the customer and either ask
23 them why they chose to migrate away or why they
24 disconnected the line for some other reason, in a limited
25 number of instances for a defined period of time.

0126

1 Q. And are you aware of those instances that
2 Pacific sales force received disconnect orders in advance
3 of MCI or the CLEC receiving the completion notices?

4 A. I understand that to be the case. I do not know
5 of anything firsthand.

6 Q. To your knowledge, has that practice been
7 stopped at Pacific?

8 A. To my understanding, yes.

9 Q. This was prior to your commencing your tenure as
10 being responsible for the LISC?

11 A. Which part?

12 Q. The commencing of your involvement with the LISC
13 in January of '97. Did the activity cease prior to the
14 time that you started?

15 A. I think it ceased shortly after my arrival, if I
16 am not mistaken.

17 Q. Were you involved in the testing to put a halt
18 to that?

19 A. No.

20 Q. We have been discussing general capacity issues
21 in terms of number of orders completed per day on the
22 average. How about compliance with the contract
23 requirements of FOC intervals, for example. Is it
24 currently the case that Pacific is still unable to comply
25 with the four-hour interval for FOC transmittal?
0127

1 A. Yes.

2 Q. And is there a time by which you anticipate that
3 Pacific will be able to comply with the four-hour
4 interval?

5 A. I think that follows the same line of
6 questioning before, where I have indicated that October
7 would be the crossover point of volumes matching capacity.
8 And not being able to speculate on what the backlog is
9 there, it's kind of difficult to say when that whole thing
10 would clear up.

11 Q. So it will be, you are not going to be able to
12 achieve four-hour FOC interval until after the backlog has

13 been eliminated, which would be sometime after October of
14 1997?

15 A. On the universe of orders, I believe that to be
16 the case. There will be a percentage of orders that flow
17 through on the flow-through release, where I believe you
18 will see us achieve that objective.

19 Q. How about the three-day interval for
20 completion -- is that the correct interval to start with?

21 A. Yes.

22 Q. And that's the time within which the migration
23 is to be effected?

24 A. That's the time period after you receive the FOC
25 that the migration is effected.

0128

1 Q. After you receive the FOC. Are you saying that
2 the three-day period runs from the time that MCI finally
3 receives a FOC?

4 A. From the period of time after the CLC receives a
5 FOC, the completion is then effected within three business
6 days.

7 Q. Let's start from the beginning of the
8 appropriate intervals. From when does the four-hour
9 interval run?

10 A. From the point in time that we receive the order
11 from the CLC.

12 Q. And then the FOC is supposed to be out four
13 hours later, but could be a matter of days, depending on
14 circumstances. So you are saying that contractually, that
15 if the FOC is delayed by several days, you are not

16 required to complete the transfer until three days

17 thereafter?

18 MR. KOLTO-WININGER: Object to the extent it
19 calls for a legal conclusion, but go ahead and give your
20 understanding.

21 THE WITNESS: No, I didn't say that.

22 MR. PUDDY: Q. So what's your understanding of
23 the time interval within which you were supposed to
24 complete, that is, Pacific is supposed to complete the
25 migration?

0129

1 A. Relative to which carrier?

2 Q. Let's pick my favorite, MCI.

3 A. I believe MCI's contract calls for four-hour
4 Firm Order Confirmation, of which following that, there is
5 a three-day interval to complete the completion.

6 Q. What is the interval for the next document which
7 would be, I believe, what, a notice of completion?

8 A. 24 hours from the point in time that we
9 completed the order.

10 Q. And are you currently complying with the
11 three-day migration time frame?

12 A. In most instances, no.

13 Q. When do you expect that Pacific will be able to
14 comply with the three-day migration time frame?

15 A. This will be a very similar answer to my answer
16 for FOC's. Some of them will be able to be done rather
17 quickly because they will be automated and will flow

18 through, but for the universe of orders, I don't believe,
19 until we are at a point where capacity meets demand, that
20 we will be in a position to do that.

21 Q. And how about the 24-hour time frame for
22 transmittal of the notice of completion?

23 A. I thought that was the question I was just
24 answering.

25 Q. We are talking about the three-day time frame
0130

1 for effecting the migration was the last question, and
2 then we are talking about the one-day period for sending
3 out the notice.

4 A. Then let me restate my answer.

5 Q. Sure.

6 A. Today a very high percentage of orders are
7 completed internal to Pacific Bell within the specified
8 time frame. From the time that we provide you with the
9 FOC, to the point in time that the order is completed
10 within three days, a very high percentage, better than 97
11 percent, are completed within that duration.

12 Q. But in those cases, how many are completed
13 within three days and four hours of the date that you
14 received the order?

15 A. I don't know the exact number, but I will tell
16 you that if the FOC is on time, it's not going to have a
17 detrimental impact on the completion percentage, so the
18 trick is do the FOC on time, the completion will be done
19 on time. There is no downstream impact on that, so I
20 misunderstood you. I thought you were asking about the

21 completion notification, originally.

22 Q. But the problem is the FOC's are not being done

23 on time, correct?

24 A. In many instances, yes.

25 Q. And so although the -- so it's your

0131

1 understanding that the bulk, if not all, of the migrations

2 occur within three days of transmittal of the FOC, right?

3 A. Yes.

4 Q. What percentage of the migrations are effected

5 within three days plus four hours of Pacific's receipt of

6 the order?

7 A. I don't know the exact percentage.

8 Q. Then skipping ahead to the question you thought

9 you were answering previously, presently, is Pacific able

10 or complying with the 24-hour period for transmittal of

11 the notice of completion?

12 A. In most instances, no.

13 Q. When do you anticipate that Pacific will be able

14 to comply, in a wholesale basis, with that requirement?

15 A. The answer that I previously gave you, which is

16 when capacity meets demand for the universe of orders;

17 however, some subset if fall-through automatically occurs

18 once that release is done.

19 Q. Will compliance occur at the moment that the

20 capacity equals demand or only after the existing backlog

21 has been run off?

22 A. Naturally, after the backlog is run off.

23 Q. Other than what you just told us, have you
24 previously communicated this information to anyone over at
25 MCI, for example?

0132

1 A. Yes.

2 Q. And to whom did you --

3 A. Let me back up, I'm sorry. What specific
4 information are you referring to?

5 Q. Talking about the current status of compliance
6 and your time estimates for when you will be able to
7 comply.

8 A. No.

9 Q. How about AT&T?

10 A. No.

11 Q. Any of the other CLC's?

12 A. No.

13 MR. PUDDY: Let's take five so we can discuss
14 how we will best use the available time today.

15 (Recess taken.)

16 MR. PUDDY: Q. You had indicated, in previous
17 testimony, that internal forecasts generated by Pacific
18 Bell were one of the factors that you used to determine
19 the capacity goals for the LISC. Have you taken into
20 account, to any extent, the cumulative summaries or,
21 excuse me, cumulative forecasts provided by CLEC's as to
22 volumes and transfers?

23 MR. KOLTO-WININGER: Objection. Vague as to
24 cumulative forecasts. But go ahead.

25 THE WITNESS: First of all, we don't have the

0133

1 universal body of forecasts from CLEC's. We have
2 forecasts from some CLEC's, to varying degrees of length
3 in time, depending on who the CLC is. And the answer to
4 your question is, no, I am not responsible for building
5 forecasts. The forecasters are responsible for building
6 the forecasts.

7 MR. PUDDY: Q. So the forecasts that you
8 obtain -- that Pacific obtains from the CLEC's, are those
9 supplied to the Pacific Bell personnel responsible for
10 building the Pacific Bell forecasts?

11 A. I don't know the answer to that. I do know that
12 with the agreement with the CLC's, that I am instructed to
13 keep those forecasts very, very tight on a
14 need-to-know-only basis, so I share them with two members
15 of my staff and those are all I share them with.

16 Q. The specific make of the forecast is obtained
17 from the CLC's, to your knowledge?

18 A. I don't know. You'd have to ask the
19 forecasters.

20 Q. To your knowledge, forecasters don't even
21 receive the CLC's forecasts?

22 A. I said I don't know whether or not they receive
23 them. I know I do not provide them to them.

24 Q. I guess my question, in case it was unclear, are
25 you aware of any beneficial use that Pacific makes of the
0134

1 forecast that it obtains from the CLC's?

2 A. I absolutely know what I do with them, which is

3 I sit down and balance them out against my operations plan
4 and try to understand am I in good shape or bad shape, and
5 draw additional sources of information from that. But
6 when it's all said and done in the business, you have to
7 agree on some single number that everybody can work to,
8 and that number is the official forecast.

9 Q. Okay. So you use the CLEC information as kind
10 of a short-term early warning system of problems to come,
11 and you use the Pacific Bell numbers for long-term
12 planning purposes?

13 A. No. I think to arbitrarily say short-term,
14 long-term probably isn't appropriate. I use the CLEC for
15 defining inconsistencies with our plans, and that causes
16 us to get in dialogue with other departments to say, does
17 this information warrant that we look at our forecasts.

18 Q. Okay. Have you ever had the occasion to tell
19 your forecast people that information that you are
20 receiving from the CLEC's is inconsistent with what they
21 are telling you, and they should re-look it?

22 A. I have not told -- I define the forecast person
23 as Laura Schwartz. I have not told her that, but I have
24 worked with our finance and planning staff and had
25 discussions around that with our finance and planning
0135
1 staff.

2 Q. When did that happen?

3 A. I think it's been an ongoing topic of
4 conversation probably for the last two months.

5 Q. What have you advised the finance and planning

6 staff?

7 A. We talk about what the official company forecast
8 is balanced against what we are getting from the CLC's,
9 and ask questions, does this warrant taking a re-look to
10 it.

11 Q. Is the general situation that the Pacific Bell
12 official forecast is far below what the CLC's are giving
13 you?

14 A. Far below, I think, is probably a little
15 overstated.

16 Q. So --

17 A. It's below.

18 Q. It's below.

19 Do you have any opinion as to which of the two
20 numbers is more close to being correct?

21 A. I have no opinion that I think is informed or
22 accurate. I don't know that in this environment right now
23 that anybody has got a good swag at what's going to
24 happen. I mean, things are changing so rapidly that, you
25 know, what sounds good one week is different another week.
0136

1 And I think herein lies wind of the problems of trying to
2 get this business up and running.

3 What do you have to compare it with in the past,
4 what makes sense. One analogue would be to go back and
5 look at the long distance market and see what happened
6 most in 1994. You do that and you do that and you come up
7 with a set of numbers that might suggest that the company

8 forecast is overstated. You go back and you look at the
9 raw numbers that were provided from the carriers and you
10 come back with a conclusion that the company forecast is
11 understated.

12 Q. Okay. But if information you are getting from
13 the CLEC's is correct or more correct than even Pacific's
14 information, or Pacific's official forecast, then that
15 would impact, for example, the crossover date that you
16 testified to earlier, would it not?

17 A. Yes, it would, but I am not drawing the
18 conclusion that it's either more or less correct than
19 Pacific's information.

20 Q. And I'm not suggesting that you are. I am just
21 saying that your testimony about the crossover date
22 occurring next October is premised upon Pacific's official
23 forecast?

24 A. Yes.

25 Q. If the true numbers are higher, as is suggested
0137
1 by the information you are getting from the CLEC's, that
2 crossover date will be pushed out to some day even after
3 October, would it not?

4 A. That could be one of the factors that impact the
5 crossover date, similarly, assumptions around work
6 processing times could impact it, systemization issues
7 could impact it, order mix could impact it. Literally,
8 any one of those variables could either move it in or
9 slide it out.

10 And when I characterized October as the date, I

11 said our best pick, our best guess, based on all these
12 assumptions, volumes being one of them, that's the date
13 that came up.

14 Q. I just wanted to make sure I understood the way
15 that the volume issue, the forecast discrepancy issue
16 would impact that date. And it would push out even
17 further the compliance date, which would run sometime
18 after October and after dissipation of the then existing
19 backlog, right?

20 A. The compliance date is what?

21 Q. Those are the dates that you testified that you
22 would -- Pacific would be able to comply with the
23 universal basis with the four-hour FOC notice and the
24 24-hour notice of completion.

25 A. My estimates of when that might occur, yes.
0138

1 Q. So those would be pushed out even further still,
2 would it not?

3 A. Yes.

4 MR. PUDDY: As agreed, I have not completed my
5 questioning here, but there are two other parties
6 represented, and everyone is under pressure to get
7 testimony prepared for the upcoming hearing. So I am
8 going to yield to Mr. Ettinger at this point, and resume
9 my testimony at an agreed time between the parties.

10 MR. ETTINGER: Thank you, Mr. Puddy.

11

12 EXAMINATION BY MR. ETTINGER

13 MR. ETTINGER: Q. Good afternoon, Mr. Stankey.

14 I represent AT&T. How are you?

15 A. I am fine, Bill. How are you?

16 Q. In connection with the questions and answers you
17 gave to Mr. Puddy about the October '97 crossover day, and
18 the other things associated in that, like when you'd be
19 able to meet the four-hour FOC and the 24-hour notice of
20 completion, you testified, did you not, that this was the
21 first time, that is, today, that that information had been
22 communicated to CLC's or their representatives. Did I
23 understand that correctly?

24 A. I don't know that I have communicated it to any
25 of the CLC's. I have communicated it to the group of
0139
1 people in this room.

2 Q. To the extent that the people in this room are
3 representatives of the CLEC's?

4 A. That's correct.

5 Q. And it's not proprietary, is it?

6 A. No.

7 Q. So at least in my case, you have communicated it
8 to an employee of a CLC, correct?

9 A. Yes.

10 Q. My question is, when did you first become aware
11 of this crossover date?

12 A. The first estimates I had on the crossover date
13 was when we went through the exercise to build the work
14 product that was presented to you last week.

15 Q. So this crossover date was developed last week?

16 A. The data that drove the crossover date was
17 developed in the weeks prior to that. Our conclusions and
18 final estimates on that came to closure early last week,
19 late the week before.

20 Q. When you say last -- sometime around the very
21 end of March, is that what you are talking about, when you
22 came to the conclusion? I will give you a calendar.

23 A. Yes. I would say it was during the week of the
24 24th of March.

25 Q. Sometime during the week of March 24th, you came
0140

1 to the conclusion, you being Pacific Bell, and yourself

2 and the people you are working with, that this was the

3 crossover date?

4 A. To the best of my recollection.

5 Q. And which individuals were involved in

6 developing that, other than yourself?

7 A. The actual calculation of the crossover date was

8 actually calculated by myself.

9 Q. And with data provided by other people?

10 A. That is correct.

11 Q. And who are those people?

12 A. The same people I mentioned earlier, which would

13 be Don Griffin, members of his staff that provided

14 discrete legal estimates, like Ann Long, Robert Hough, who

15 works for Jaime Villagomez.

16 Q. Would Laura Schwartz be one of those persons?

17 At least you relied on her forecast.

18 A. I relied on her forecasts but did not work on a
19 one-on-one basis with Laura.

20 Q. You said something about, in your first answer,
21 that was given to us last week, you were talking about
22 some sort of presentation?

23 A. No, earlier in the deposition today. If I said
24 last week, I didn't mean to say last week. Earlier in the
25 deposition today, I believe you asked me who participated
0141
1 in building the forecasts.

2 Q. What I meant was early in the -- in answer to my
3 first question, you said something about a presentation
4 last week.

5 A. When Mr. Sinn presented the numbers to you last
6 week as part of the deposition.

7 Q. You are talking about the numbers, you mean the
8 Exhibit 7?

9 A. Yes.

10 Q. In talking about the forecasts, see if I
11 understood correctly, and I think the context was when
12 you -- discussions with people you had when you first came
13 on board and things that you looked at.

14 I think you stated that the first time you saw
15 Pacific's internal demand forecasts was in late February.
16 Did I remember that correctly?

17 A. That was the best of my recollection.

18 Q. And what you said was, you saw a spreadsheet,
19 something different than Exhibit 15, which was shown to
20 you, in format?

21 A. That's correct.

22 Q. And you said the spreadsheet was dated February?

23 A. It had a date of February on it. I don't recall
24 the precise date.

25 Q. My recollection -- have you read the deposition
0142
1 of Laura Schwartz?

2 A. No, I have not.

3 Q. My recollection of her deposition is that she
4 stated that the next time she prepared an official
5 forecast, after the one, Exhibit 15, which is dated in
6 November, was sometime in March, and let me ask you to
7 take that as a hypothetical. If that's the case, then I
8 take it what you saw was not an official published
9 forecast of the internal group.

10 MR. KOLTO-WININGER: I am going to object to the
11 phrasing of the question.

12 MR. ETTINGER: I object to it myself. It's kind
13 of vague.

14 Q. Let me rephrase that. What, if anything, do you
15 know about the document that you saw that had the February
16 date, the spreadsheet? Do you know if that was a document
17 that was published by Laura Schwartz' group to the
18 internal clients at Pacific Bell?

19 A. I do not know whether the document that I worked
20 off was specifically distributed or published to those
21 groups. What I do recall about the process is that Laura
22 was in the process of updating the estimates on a number

23 of different product categories on that forecast, not all

24 of which were completed at the exact same time.

25 It could have been that what I had was an

0143

1 advanced copy of the resale estimates that had been done

2 earlier in the process, and she was still working

3 unbundled network elements and other product subgroups

4 that ultimately completed in March, which caused her to

5 publish that forecast at that point in time. That could

6 be one plausible explanation for why the difference in the

7 dates.

8 Q. I don't want you to speculate. What did you ask

9 her for? Did you just say, Laura, give me the best

10 information you have as of this date?

11 A. I have never spoken directly to Laura. I work

12 with the finance and planning organization that interfaces

13 with Laura, and I had asked the finance and planning

14 organization to provide me with the most recent forecast.

15 Q. Who did you ask? Would that be Mr. Villagomez?

16 A. Robert Hough, who works for Mr. Villagomez.

17 Q. So you asked him to secure for you the best

18 current forecast?

19 A. That's correct.

20 Q. And the spreadsheet that -- the Excel

21 spreadsheet that you saw, was that a piece of paper, or

22 was that something that was just E-mailed to you in your

23 computer?

24 A. It was in both paper format, and I believe I

25 received the disk with the file on it.

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1 Q. Do you have in mind Exhibit 15, at least the
2 format of that?

3 A. Yes.

4 Q. The information that you saw in February, was
5 that, can you tell us, more or less granular than Exhibit
6 15?

7 A. I understood that the part of Exhibit 15 that I
8 looked at was for LISA trunks, which was not the portion
9 of the forecast that I would focus on.

10 Q. Maybe we could have a --

11 MR. ETtinger: Do you have a copy of Exhibit 15
12 to show the witness?

13 Q. Isn't Exhibit 15 for both resale and LISA trunk?

14 MR. KOLTO-WININGER: Objection. Calls for
15 speculation. Go ahead.

16 MR. ETtinger: Q. If you know.

17 MR. KOLTO-WININGER: You can answer.

18 THE WITNESS: In looking at this exhibit, my
19 conclusion is that maybe the title would be
20 misrepresentative of the data that's actually represented
21 on the sheet. I am not clear on this, what demonstrates
22 any information around LISA trunks.

23 MR. ETtinger: Q. What is LISA trunk?

24 A. Local Interconnection Serving Arrangement.

25 Q. And trunk being the type of facility?

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1 A. Yes.

2 Q. So when you looked at Exhibit 15, when you saw

3 this today, was this the first time you saw the forecast
4 in this format?

5 A. Yes, it is.

6 Q. And is your understanding that this forecast is
7 only a forecast of LISA trunks?

8 A. I have no knowledge of what this forecast is,
9 since this is the first time I have seen it today.

10 Q. It is titled, "Resale/LISA Trunk," correct?

11 A. Yes, it is. It's not clear from the content
12 below why that content has anything to do with LISA
13 trunks.

14 Q. Let us assume that Ms. Schwartz testified that
15 this has to do with both LISA trunks and with resale of
16 various types of other lines, okay?

17 A. Okay.

18 Q. Making that assumption then, is what you are
19 telling me that you saw in February, just the information
20 that had to do with resale of lines?

21 A. That is the portion of the forecast that I
22 received, yes.

23 Q. You are not responsible for LISA trunks?

24 A. That is correct.

25 Q. That would be facilities, within Mr. Sinn's
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1 organization?

2 A. That's correct.

3 Q. Did you have anything else to add?

4 A. (No audible response.)

5 Q. Have you seen forecasts subsequent --